

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States District Court
Southern District of Texas
FILED

JUN - 9 2017

United States of America)
v.)
Roberto S. BAUTISTA Jr. (USC) YOB:1990)
Jose M. FLORES (USC) YOB:1982)
Defendant)

David J. Bradley, Clerk

Case No. M-17-1024-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 05/25/2017 in the county of Hidalgo in the Southern District of
Texas, the defendant violated Title 18 U. S. C. § Section 922 (g)(1)
, an offense described as follows:

On May 25, 2017, the defendant, did knowingly and unlawfully possess firearms namely:

- 1) Jimenez Arms, Model J.A.-380, .380 Auto caliber pistol
- 2) Colt, Government Model, 22 Long Rifle caliber pistol

that had previously traveled in and affected interstate commerce, after being convicted in a court of law for a felony crime punishable by imprisonment for a term exceeding one year.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.Approved by AUSA D. PAXTON
DJP 6/9/17

Complainant's signature

Joshua Wedesky, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: June 9, 2017 4:17 pm

Judge's signature

City and state: McAllen, TX

Peter Ormsby, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

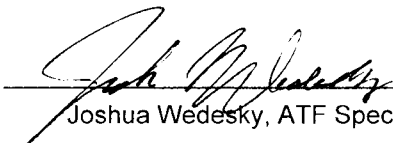
1. On Thursday, May 25, 2017, at approximately 10:00 pm, law enforcement agents set up surveillance on the residence located at 813 N 14th Place, Apt. 9, Edinburg, Texas (hereinafter referred to as the "RESIDENCE").
2. While conducting surveillance, agents observed a blue Chevrolet Cavalier passenger vehicle arrive at the RESIDENCE. A Hispanic male later identified as Ramiro RUIZ was observed exiting the Cavalier and entering the RESIDENCE. A silver Dodge Charger passenger vehicle arrived shortly after and a Hispanic male later identified as Roberto S. BAUTISTA Jr. exited the silver Dodge Charger and entered the RESIDENCE. Briefly after BAUTISTA arrived, four Hispanic males exited the RESIDENCE. The agents conducting surveillance recognized one of the four males that exited the residence as Isaac V. SANCHEZ. The four Hispanic males got into the blue Chevrolet Cavalier displaying Texas Temporary Registration 72J-9779. The Texas Temporary Registration 72J-9779 expired on 05/16/17.
3. Agents in marked police vehicles attempted to conduct a traffic stop on the Cavalier for a traffic violation, but the vehicle failed to stop. A vehicle pursuit ensued through several city streets within the city of Edinburg, Texas.
4. During the pursuit, agents observed the occupants of the vehicle toss a ski mask and two firearms out of the window of the Cavalier in the vicinity of Freddy Gonzalez Elementary School on Sugar Road north of Canton Road in Edinburg, Texas. The ski mask and firearms were recovered by law enforcement. The two firearms were identified as:
 - Jimenez Arms, Model J.A.-380, .380 Auto caliber pistol
 - Colt, Government Model, 22 Long Rifle caliber pistol
5. The vehicle pursuit ended on East Chavez Street, east of North 14th Place, near the RESIDENCE. All four Hispanic males exited the vehicle and evaded arrest on foot by running into a field. All the suspects were apprehended with the assistance of multiple law enforcement agencies. All four males in the vehicle were confirmed to be Isaac V. SANCHEZ, Ramiro RUIZ, Robert S. BAUTISTA Jr., and Jose M. FLORES. During the pursuit of the Cavalier and while the suspects fled on foot, law enforcement maintained constant visual contact of the vehicle and suspects until all were taken into custody.
6. During a post-Miranda interview, Ramiro RUIZ admitted to being the driver of the vehicle.
7. Agents learned that all four suspects are convicted felons. Agents verified the felony convictions by retrieving judgment and conviction court records that detailed the individual felony convictions

ATTACHMENT A

8. On or about November 16, 2015, Roberto S. BAUTISTA was convicted of Deadly Conduct Discharge Firearm (3rd Degree Felony) in the 92nd Judicial District Court – Hidalgo County, Case Number CR-0817-15-A.

9. On or about August 2, 2012, Jose M. FLORES was convicted of making a false statement or representation with regards to firearm records (felony) in violation of 18 U.S.C. Section 924(a)(1)(A) in the U.S. District Court - Southern District of Texas, Case Number 7:12CR00528-001.

10. On May 26, 2017, a firearms and ammunition interstate nexus expert agent examined the firearms. The interstate nexus expert stated that the firearms possessed by the suspects were manufactured outside of the State of Texas. Therefore, the firearms had previously traveled in interstate or foreign commerce at sometime prior to being possessed by any person in the State of Texas.


Joshua Wedesky, ATF Special Agent

Sworn to before me and subscribed in my presence,


Peter Ormsby, U.S. Magistrate Judge

June 9, 2017